



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/069,957

03/07/2002

Nami Isomae

016778-0446

3104

22428 7590 03/17/2008
FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

ELCENKO, ERIC J

ART UNIT

PAPER NUMBER

2617

MAIL DATE

DELIVERY MODE

03/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

1. Applicant's arguments have been fully considered but they are not persuasive.

The applicant argues Forslow fails to teach or suggest the claimed "a flag indicating whether or not said core network has the function of coordinating is added to said paging command. The idea from Forslow, as previously stated, of the addition of the information in the header, which indicated the presence of packet or circuit switched transport is incorporated into the paging command message of the core network in Wallentin. Wallentin teaches the core network sending out a paging command to the RNC. The paging command contains information regarding the mobile station.

Wallentin also discloses two different modes of operation: one for packet switched and one for circuit switched. The packet header information of Forslow is a more reliable way for indicating the presence of circuit and packet switched services.

2. The applicant also argues it is not taught determining which channel to use for paging processing utilizing flags to determine the presence of a coordinating function.

The disclosure of Vialen, *in combination* with Wallentin and Forslow would allow one of ordinary skill in the art to put together the references for paging processing. The test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC ELCENKO whose telephone number is (571)272-8066. The examiner can normally be reached on M-F 7:30 AM through 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ee/

/Duc Nguyen/

Supervisory Patent Examiner, Art Unit 2617